IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of:	Calin TURCANU	Confirmation No.:	2893
Application No.:	10/560,109	Examiner:	Lam, Dung Le
Filed:	January 17, 2006	Group Art Unit:	2617

For: GROUP CALL IN A COMMUNICATIONS SYSTEM

Commissioner for Patents
Alexandria, VA 22313-1450

RESPONSE TO NOTICE OF NON-COMPLIANT APPEAL BRIEF

Dear Sir:

In response to the Notification of Non-Compliant Appeal Brief dated July 1, 2010, please amend the Appeal Brief dated June 18, 2010 as follows:

Please substitute the following section entitled, "Summary of Claimed Subject Matter" for corresponding Section V that began on page 2 and extended onto page 10 of the aforementioned Appeal Brief.

V.   SUMMARY OF CLAIMED SUBJECT MATTER

The claimed inventions involve a user device using a phonebook application to manage contact information and set up ad-hoc group calls. The ad-hoc groups are created spontaneously for temporary use, and the ad-hoc groupings are deleted from the phonebook, for example, when

the ad-hoc group calls end, when the initiator leaves the ad-hoc group call, when all group members leave the ad-hoc group call, or after a certain idle time without any speech traffic.

Independent claim 14 reads as follows:

14. A method, comprising:

storing a list of subscribers of a phonebook application into a phonebook stored in a subscriber device (See, e.g., Specification page 10, line 29 – page 11, line 10);

storing presence information of the subscribers in the phonebook, said presence information including information on the availability of the subscribers for a group call (See, e.g., Specification page 9, lines 31-36, page 10, lines 7-18, page 10, line 29 – page 11, line 10, page 13, line 22 – page 14, line 7);

opening the phonebook application in response to a predetermined input from the user interface (See, e.g., Specification page 10, line 29 – page 11, line 10; Step 501 in FIG. 5);

displaying the list of subscribers on the user interface (See, e.g., Specification page 10, line 29 – page 11, line 10; the contact list in FIG. 4A; Step 501 in FIG. 5);

receiving the user's selection of two or more individual subscribers as an ad-hoc group for a new ad-hoc group call from the list via the user interface (See, e.g., Specification page 10, line 29 – page 11, line 16, page 11, line 32 – page 12, line 23; the contact list in FIG. 4A; Step 503 in FIG. 5);

in response to the user selecting a predetermined operation in the group communications menu or the user pressing a predetermined button, providing appropriate control plane function signaling with a group communication service in a network infrastructure for establishing said new ad-hoc group call with said newly selected individual subscribers

and the user of the subscriber device (See, e.g., Specification page 10, line 29 – page 11, line 16, page 11, line 32 – page 12, line 23; "Make Poc call", an "Off-hook" key 40, and a "Select" key 41 in FIG. 4B; Steps 505, 506, 508, in FIG. 5);

sending a speech item or a speech item request each time a talk activity is detected or indicated in the subscriber device during said ad hoc group call, wherein said speech item or said speech item request is sent based on settings defined in user plane functions (See, e.g., Specification page 11, line 32 – page 12, line 31, page 13, lines 1-13; "Poc call" in FIG. 4C; Step 509 in FIG. 5; Steps 606, 607 in FIG. 6); and

deleting the user's selection of the ad-hoc group from the phonebook when said new ad-hoc group call ends (See, e.g., Specification page 13, lines 1-21; Step 511 in FIG. 5).

Independent claim 17 reads as follows:

17. An apparatus comprising (See, e.g., Specification page 9, lines 1-30; a user terminal in FIG. 3):

at least one processor (See, e.g., Specification page 9, lines 1-36; a controller 305 in FIG. 3); and

at least one memory including computer program code (See, e.g., Specification page 9, lines 1-30, page 10, line 29 – page 11, line 10; "a storage medium comprising an executable program" in canceled claim 10 and claim 20),

the at least one memory and the computer program code configured to, with the at least one processor, cause the apparatus to perform at least the following (See, e.g., Specification page 9, lines 1-30),

store a list of subscribers of a phonebook application into a phonebook stored in a subscriber

device (See, e.g., Specification page 10, line 29 – page 11, line 10; a user terminal in FIG.

3);

store presence information of the subscribers in the phonebook, said presence information

including information on the availability of the subscribers for a group call (See, e.g.,

Specification page 9, lines 31-36, page 10, lines 7-18, page 10, line 29 – page 11, line 10,

page 13, line 22 – 14, line 7);

open the phonebook application in response to a predetermined input from the user interface

(See, e.g., Specification page 10, line 29 – page 11, line 10; Step 501 in FIG. 5);

display the list of subscribers on the user interface (See, e.g., Specification page 10, line 29 –

page 11, line 10; the contact list in FIG. 4A; Step 501 in FIG. 5);

receive the user's selection of two or more individual subscribers as an ad-hoc group for a

new ad-hoc group call from the list via the user interface (See, e.g., Specification page 10,

line 29 – page 11, line 16, page 11, line 32 – page 12, line 23; the contact list in FIG. 4A;

Step 503 in FIG. 5);

in response to the user selecting a predetermined operation in the group communications

menu or the user pressing a predetermined button, provide appropriate control plane

function signaling with a group communication service in a network infrastructure for

establishing said new ad-hoc group call with said newly selected individual subscribers

and the user of the subscriber device (See, e.g., Specification page 10, line 29 – page 11,

line 16, page 11, line 32 – page 12, line 23; "Make Poc call", an "Off-hook" key 40, and a

"Select" key 41 in FIG. 4B; Steps 505, 506, 508, in FIG. 5);

send a speech item or a speech item request each time a talk activity is detected or indicated
in the subscriber device during said ad hoc group call, wherein said speech item or said
speech item request is sent based on settings defined in user plane functions (See, e.g.,
Specification page 11, line 32 – page 12, line 31, page 13, lines 1-13; "Poc call" in FIG.
4C; Step 509 in FIG. 5; Steps 606, 607 in FIG. 6); and

delete the user's selection of the ad-hoc group from the phonebook when said new ad-hoc
group call ends (See, e.g., Specification page 13, lines 1-21; Step 511 in FIG. 5).

Independent claim 18 reads as follows:

18.   An apparatus, comprising (See, e.g., Specification page 9, lines 1-30; a user terminal in
FIG. 3):

a controller configured to display a list of subscribers of a phonebook application on a user
interface, a phonebook of said phonebook application containing said list of subscribers
and presence information of the subscribers, and said presence information including
information on the availability of the subscribers for a group call (See, e.g., Specification
page 9, lines 1-36; a controller 305 in FIG. 3; the contact list in FIG. 4A; Step 501 in FIG.
5),

said controller being configured, in response to the user's selection of two or more individual
subscribers as an ad-hoc group for a new ad-hoc group call from the list via the user
interface, to display a group communications menu on the user interface (See, e.g.,
Specification page 10, line 29 – page 11, line 10; FIG. 4B),

said controller being configured, in response to the user's selection of two or more subscribers
from the list via the user interface and the user selecting a predetermined operation in the

group communications menu or the user pressing a predetermined button, providing

appropriate control plane function signaling with a group communication service in a

network infrastructure for establishing said new ad-hoc group call with said newly

selected individual subscribers and the user of the apparatus (See, e.g., Specification page

10, line 29 – page 11, line 16, page 11, line 32 – page 12, line 23; "Make Poc call", an

"Off-hook" key 40, and a "Select" key 41 in FIG. 4B; Steps 505, 506, 508, in FIG. 5),

said controller being configured to send a speech item or a speech item request each time a

talk activity is detected or indicated in the apparatus during said ad hoc group call,

wherein said the speech item or said speech item request is sent based on settings defined

in user plan functions (See, e.g., Specification page 11, line 32 – page 12, line 31, page

13, lines 1-13; "Poc call" in FIG. 4C; Step 509 in FIG. 5; Steps 606, 607 in FIG. 6), and

wherein the user's selection of the ad-hoc group is deleted from the phonebook when said new

ad-hoc group call ends (See, e.g., Specification page 13, lines 1-21; Step 511 in FIG. 5).

Independent claim 21 reads as follows:

21.   An apparatus, comprising (See, e.g., Specification page 9, lines 1-30; a user terminal in

FIG. 3):

a radio transceiver with a group communication capability (See, e.g., Specification page 9,

lines 1-30; an RF unit 304 in FIG. 3);

a memory containing a phonebook that includes a list of subscribers of a phonebook

application, and presence information of said subscribers, said presence information

including information on the availability of the subscribers for a group call (See, e.g.,

Specification page 9, lines 1-30, page 10, line 29 – page 11, line 10; "a storage medium comprising an executable program" in canceled claim 10 and claim 20),

a controller connected to a user interface from a user of the apparatus via which a group call activation can be received with a selection of two or more individual subscribers as an ad-hoc group for a new ad-hoc group call from said list of the phonebook application (See, e.g., Specification page 9, lines 1-36; a controller 305 in FIG. 3),

said controller being further connected to said transceiver to send via said transceiver to a group communication service in a network infrastructure an ad-hoc group call setup control plane function signaling for said new ad-hoc group call with the newly selected individual subscribers and the user of the apparatus (See, e.g., Specification page 10, line 29 – page 11, line 16, page 11, line 32 – page 12, line 23; "Make Poc call", an "Off-hook" key 40, and a "Select" key 41 in FIG. 4B; Steps 505, 506, 508, in FIG. 5),

said controller being configured to send a speech item or a speech item request each time a talk activity is detected or indicated in the apparatus during said ad hoc group call, wherein said speech item or said speech item request is sent based on settings defined in user plane functions (See, e.g., Specification page 11, line 32 – page 12, line 31, page 13, lines 1-13; "Poc call" in FIG. 4C; Step 509 in FIG. 5; Steps 606, 607 in FIG. 6), and

wherein the user's selection of the ad-hoc group is deleted from the phonebook when said new ad-hoc group call ends (See, e.g., Specification page 13, lines 1-21; Step 511 in FIG. 5).

Independent claim 22 reads as follows:

22. A computer-readable tangible storage medium carrying one or more sequences of one or more instructions which, when executed by one or more processors, cause an apparatus to at least

perform the following steps (See, e.g., Specification page 9, lines 1-36; "a program comprising program code" in canceled claim 9 and claim 19, "a storage medium comprising an executable program" in canceled claim 10 and claim 20; a controller 305 in FIG. 3):

storing a list of subscribers of a phonebook application into a phonebook stored in a subscriber device (See, e.g., Specification page 10, line 29 – page 11, line 10; a user terminal in FIG. 3);

storing presence information of the subscribers in the phonebook application, said presence information including information on the availability of the subscribers for a group call (See, e.g., Specification page 9, lines 31-36, page 10, lines 7-18, page 10, line 29 – page 11, line 10, page 13, line 22 – page 14, line 7);

opening the phonebook application in response to a predetermined input from the user interface (See, e.g., Specification page 10, line 29 – page 11, line 10; Step 501 in FIG. 5);

displaying the list of subscribers on the user interface (See, e.g., Specification page 10, line 29 – page 11, line 10; the contact list in FIG. 4A; Step 501 in FIG. 5);

in response to the user's selection of two or more individual subscribers as an ad-hoc group for a new ad-hoc group call from the list via the user interface, displaying a group communications menu on the user interface (See, e.g., Specification page 10, line 29 – page 11, line 10; FIG. 4B);

in response to the user selecting a predetermined operation in the group communications menu or the user pressing a predetermined button, providing appropriate control plane function signaling with a group communication service in a network infrastructure for establishing said new ad-hoc group call with said newly selected individual subscribers and the user of the subscriber device (See, e.g., Specification page 10, line 29 – page 11,

line 16, page 11, line 32 – page 12, line 23; "Make Poc call", an "Off-hook" key 40, and a "Select" key 41 in FIG. 4B; Steps 505, 506, 508, in FIG. 5);

sending a speech item or a speech item request each time a talk activity is detected or indicated in the subscriber device during said ad hoc group call, wherein said the speech item or said speech item request is sent based on settings defined in user plane functions (See, e.g., Specification page 11, line 32 – page 12, line 31, page 13, lines 1-13; "Poc call" in FIG. 4C; Step 509 in FIG. 5; Steps 606, 607 in FIG. 6); and

deleting the user's selection of the ad-hoc group from the phonebook when said new ad-hoc group call ends (See, e.g., Specification page 13, lines 1-21; Step 511 in FIG. 5).

Independent claim 23 reads as follows:

23. A computer-readable tangible storage medium carrying one or more sequences of one or more instructions which, when executed by one or more processors, cause an apparatus to at least perform the following steps (See, e.g., Specification page 9, lines 1-36; "a program comprising program code" in canceled claim 9 and claim 19, "a storage medium comprising an executable program" in canceled claim 10 and claim 20; a controller 305 in FIG. 3):

storing a list of subscribers of a phonebook application into a phonebook stored in a subscriber device (See, e.g., Specification page 10, line 29 – page 11, line 10);

storing presence information of the subscribers in the phonebook application, said presence information including information on the availability of the subscribers for a group call (See, e.g., Specification page 9, lines 31-36, page 10, lines 7-18, page 10, line 29 – page 11, line 10, page 13, line 22 – page 14, line 7);

opening the phonebook application in response to a predetermined input from the user interface (See, e.g., Specification page 10, line 29 – page 11, line 10; Step 501 in FIG. 5);

displaying the list of subscribers on the user interface (See, e.g., Specification page 10, line 29 – page 11, line 10; the contact list in FIG. 4A; Step 501 in FIG. 5);

receiving the user's selection of two or more individual subscribers as an ad-hoc group for a new ad-hoc group call from the list via the user interface (See, e.g., Specification page 10, line 29 – page 11, line 16, page 11, line 32 – page 12, line 23; the contact list in FIG. 4A; Step 503 in FIG. 5);

in response to the user pressing a predetermined button, providing appropriate control plane function signaling with a group communication service in a network infrastructure for establishing said new ad-hoc group call with said newly selected individual subscribers and the user of the subscriber device (See, e.g., Specification page 10, line 29 – page 11, line 16, page 11, line 32 – page 12, line 23; "Make Poc call", an "Off-hook" key 40, and a "Select" key 41 in FIG. 4B; Steps 505, 506, 508, in FIG. 5);

sending a speech item or a speech item request each time a talk activity is detected or indicated in the subscriber device during said ad hoc group call, wherein said the speech item or said speech item request is sent based on settings defined in user plane functions (See, e.g., Specification page 11, line 32 – page 12, line 31, page 13, lines 1-13; "Poc call" in FIG. 4C; Step 509 in FIG. 5; Steps 606, 607 in FIG. 6); and

deleting the user's selection of the ad-hoc group from the phonebook when said new ad-hoc group call ends (See, e.g., Specification page 13, lines 1-21; Step 511 in FIG. 5).

CONCLUSION

To the extent necessary, a petition for an extension of time under 37 C.F.R. §1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 504213 and please credit any excess fees to such deposit account.

Respectfully Submitted,

DITTHAVONG MORI & STEINER, P.C.

July 30, 2010   /Chih-Hsin Teng/
Date   Chih-Hsin Teng
                                 Attorney for Appellants
                                 Reg. No. 63168

                                 Phouphanomketh Ditthavong
                                 Attorney for Appellants
                                 Reg. No. 44658

918 Prince Street
Alexandria, VA 22314
Tel. (703) 519-9952
Fax (703) 519-9958